

CalRecycle Carpet Stewardship Plan Workshop

May 16, 2017
1:30 - 4:00 PM

Remote participants may email questions to: carpet@calrecycle.ca.gov

1:30 - 1:35	Welcome and Introductions
1:35 - 1:50	CalRecycle Staff Presentation: “Overview of California Carpet Stewardship Law/Program”
1:50 - 2:05	Questions and Answers about Law or Program
2:05 - 2:25	CalRecycle Staff Presentation: “Carpet Stewardship Plans”
2:25 - 3:25	Questions and Answers about Stewardship Plans
3:25 - 3:55	General Questions
3:55 - 4:00	Closing

Overview of California Carpet Stewardship Law/ Program

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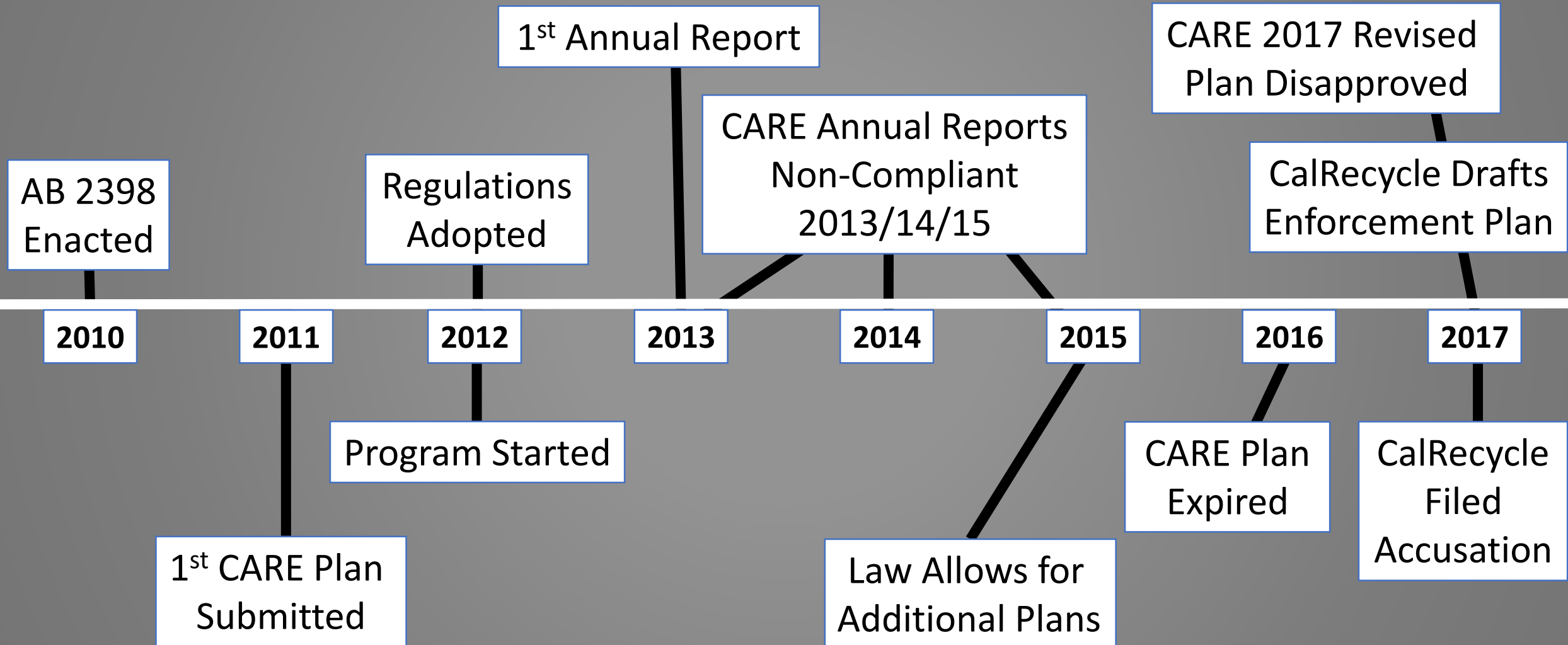
Purpose of Carpet Stewardship Law (AB 2398)

“increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products or otherwise managed in a manner that is consistent with the state’s hierarchy for waste management practices” (Public Resources Code Section 42970)

History of Carpet Stewardship Law

- AB 2398 was signed into law in 2010
- Regulations were adopted in 2012
- One of the first product stewardship laws in CA, and first carpet stewardship law in the country
- Carpet America Recovery Effort (CARE) submitted the first carpet stewardship plan and has implemented the program to-date

Carpet Stewardship Program Timeline



Overview of Statute (AB 2398)

- **Definitions**
- **Plan**: Developed by manufacturer(s) and/or stewardship organization who design & implement program
- **Goals**: Set by manufacturer(s)/stewardship organization
- **Financing**: Establish assessment to fund program activities
- **Oversight & Enforcement**: CalRecycle approves/conditionally approves/disapproves plans, reviews annual reports, enforces statute & regulations
- **Transparency**: Annual reports allow progress checks on plan implementation & program performance

Overview of Regulations

- **Definitions**
- **Submittals**
- **Criteria for Plan Approval**
- **Annual Report Compliance Criteria**
- **Civil Penalties**
- **Record Keeping Requirements**
- **Proprietary, Confidential, Trade Secret Information**
- **Service Payments to CalRecycle**

Questions about Law or Program?

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Carpet Stewardship Plans

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Carpet Manufacturer Obligations

- A manufacturer individually or through a stewardship organization, submits a plan that will achieve the purposes of the law (PRC §42972)
- Plan must be approved by CalRecycle (PRC §42973)
- Add assessment to price of carpet (PRC §42972.5)
- Submit annual reports that demonstrate continuous meaningful improvement (PRC §42976)
- Pay CalRecycle quarterly administrative fee for oversight and enforcement (PRC §42977)

What is a Carpet Stewardship Plan?

- A plan written by an individual manufacturer or a carpet stewardship organization on behalf of one or more manufacturers (PRC §42971(f))
- Includes all of the information required by PRC §42972
- Describes how the program would be implemented

Who Can Submit a Stewardship Plan?

- Carpet “manufacturer” (PRC §42971(j))
 - The person who manufactures the carpet and who sells, offers for sale, or distributes that carpet in the state under that person’s own name or brand
- “Carpet stewardship organization” (PRC §42971(e))
 - Appointed by one or more manufacturers to acts as an agent on behalf of manufacturers to design, submit, and administer a carpet stewardship plan

Preparing a Stewardship Plan (CCR §18943)

- Contact Information
- Scope
- Performance Goals and Activities
- Solid Waste Management Hierarchy
- Collection Systems
- Market Development
- Financing Mechanism
- Education and Outreach
- Program Performance Measurement
- Stakeholder Consultations
- Audits
- Environmental Information

Plan Goals (CCR §18943(3)(A))

- Increase **recyclability** of carpet
- Increase **market growth** of secondary products
- Increase **reuse** of post-consumer carpets
- Increase **recycling** of post-consumer carpets
- Increase **diversion** of post-consumer carpet from landfills
 - **Continuous meaningful improvement** in diversion from landfills and recycled output
- Report on **source reduction**
- Include a **baseline** and **timeframe** for achieving goals

Submitting a Plan (CCR §18942)

- Corporate officer submits electronic and hard copy
- List manufacturers participating in program
- List of brands covered by the plan
- Address the criteria for approval in CCR §18943 (under Criteria for Plan Approval)
- Develop plan according to standard outline specified in CCR §18942 (b)(1)

Plan Approval and Timeline

- Department may approve, disapprove, or conditionally approve plans within 60 days (CCR §18942(b)(2))
- Department must find that the plan will not have the effect of reducing the level of diversion and recycling of carpet (PRC §42973(2)(A))
- Assessment amount cannot create an unfair advantage in the marketplace (PRC §42973(2)(B))
- Designed to **accept and manage all suitable** post-consumer carpet, regardless of polymer type or primary materials of construction (PRC §42972(b))

Plan Shall Accept & Manage All Suitable Carpet

- Smaller stewardship organizations are not automatically required to cover entire state
- Plan should be reasonably related to its size and scope
- Market share, size, nature of operations, and other factors are all potentially relevant and would be considered by CalRecycle in reviewing a proposed plan
- Statute implicitly references these issues in the context of CalRecycle setting its fees for oversight and in its determination of annual compliance
- PRC 42977(a), 42975(b)
- The operative word in PRC 42972(b) is suitable

CA Paint Stewardship Plan Approach

- **Stewardship Organization Contracts with Service Providers**
 - Collection, transportation, and processing
- **Collection Infrastructure**
 - Build upon existing (e.g. HHW facilities, retailers, events, etc.)
- **Convenience**
 - No cost drop-off
 - Established convenience goals (90% of population within 15 miles)
- **Education and Outreach**
 - Identified target audiences (mfr's, consumers, businesses, retailers)
 - Developed key messaging

CA Mattress Stewardship Plan Approach

- Stewardship Organization Contracts with Service Providers
 - Collection, transportation, and processing
- Collection Infrastructure
 - Build upon existing (e.g. retailers, solid waste facilities, recyclers)
- Convenience
 - No cost drop-off
 - Retailer take-back
- Education and Outreach
 - Identified target audiences (mfr's, retailers, consumers)
 - Developed key messaging

U.S. Paint & Mattress Programs

- 8 other paint stewardship laws
 - Oregon, Connecticut, Minnesota, Vermont, Rhode Island, Maine, Colorado, and Washington, D.C.
- 2 other mattress stewardship laws
 - Connecticut and Rhode Island
- Laws/Programs similar to California

Paint and Mattress Resources

CalRecycle Paint Product Management Webpage

- www.calrecycle.ca.gov/paint

PaintCare Webpage

- www.paintcare.org

CalRecycle Mattress Product Management Webpage

- www.calrecycle.ca.gov/mattresses

Mattress Recycling Council Webpages

- www.mattressrecyclingcouncil.org
- www.byebyemattress.com

Carpet Resources

CalRecycle Carpet Stewardship Webpage

- www.calrecycle.ca.gov/carpet

Carpet Stewardship Law (AB 2398)

- leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=30.&title=&part=3.&chapter=20.&article=

Regulations

- www.calrecycle.ca.gov/Laws/Regulations/Title14/Chap11/default.htm

List of Carpet Manufacturers

- www.calrecycle.ca.gov/Carpet/MfrBrands/default.htm

Carpet Stewardship Plan Workshop Public Notice

- www.calrecycle.ca.gov/actions/PublicNoticeDetail.aspx?id=2088&aiid=1904



Questions?

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